

**REQUEST, SOLICITATION AND INVITATION
FOR PROPOSAL FOR THE POSITION OF
WESTAMPTON TOWNSHIP ADMINISTRATIVE AGENT**

You are requested to provide your proposal to the Township of Westampton, County of Burlington and State of New Jersey for consideration of your office for the position of Township Administrative Agent for the Township of Westampton for calendar year 2022. Notice of the year 2022 appointment to the position of Township Administrative Agent for Westampton Township was previously published in the newspaper, along with time and format requirements for the submission of the proposal. This Page 1 of the Request, Solicitation and Invitation is not a substitute for the published notice. For your convenience, a copy of the said published notice is attached hereto at Page 2 hereof. You must comply strictly with the submission requirements set forth therein.

Your proposal must be received by the Office of the Municipal Clerk of the Township of Westampton at the Westampton Municipal Building, 710 Rancocas Road, Westampton, NJ 08060. All proposals must be received by November 19, 2021 at 12:00 P.M. and be submitted in the form required by the advertisement reproduced on page 2 hereof and as otherwise required herein. No late submissions will be accepted. All properly submitted proposals will be opened on November 19, 2021, beginning at 12:30 P.M., in the public meeting room of the Municipal Complex. At that time and place, the sealed proposals will be publicly opened, announced and recorded for the following position:

TOWNSHIP ADMINISTRATIVE AGENT

**THE FOLLOWING IS A RESTATEMENT OF THE NOTICE PRINTED IN THE
NEWSPAPER:**

TOWNSHIP OF WESTAMPTON

PUBLIC NOTICE

Please be advised that the Township of Westampton will accept proposals for the following positions for 2022:

TOWNSHIP ATTORNEY, TOWNSHIP AUDITOR, TOWNSHIP LABOR COUNSEL,
TOWNSHIP BOND COUNSEL, TOWNSHIP ENGINEER, TOWNSHIP PLANNER,
TOWNSHIP PROSECUTOR, TOWNSHIP PUBLIC DEFENDER, TOWNSHIP RISK
MANAGEMENT CONSULTANT, ALTERNATE PUBLIC DEFENDER, LAND
DEVELOPMENT BOARD ATTORNEY, LAND DEVELOPMENT BOARD ENGINEER,
SPECIAL TAX COUNSEL, FINANCIAL ADVISOR, ADMINISTRATIVE AGENT

The proposals and instructions are available on the Township Website: www.westamptonnj.gov
under Departments/Administration/RFPs for 2022 Professional Services.

The proposals must be received on or before November 19, 2021 at 12:00 P.M. They will be
opened on November 19, 2021 at 12:30 PM.

Wendy Gibson

Acting Municipal Clerk

I. INTENT

The Township Committee of the Township of Westampton, County of Burlington and State of New Jersey intends to appoint and fill, for calendar year 2022, the position of Township Administrative Agent of the Township of Westampton. The effective date of the contract will be January 4, 2022. Sealed proposals will be received and opened at the times, dates and place set forth in the notice attached at Page 2 hereof.

The General Criteria articulated herein at Section III for the selection of Township Administrative Agent have been specifically approved by the Township Committee of the Township of Westampton. Those criteria and the other requirements herein are intended to be non-restrictive for the purpose of obtaining participation of qualified professionals and uniformity in the manner of submission of proposals.

The successful proposal shall become a part of the signed contract upon award and execution of said contract. There will be no award or appointment to the position of Township Administrative Agent until formal approval by the Township Committee's reorganization meeting on January 4, 2022.

As per the provisions of *N.J.S.A. 19:44A-20.4 et seq.*, the Township of Westampton shall be the sole judge concerning the criteria set forth herein and the merits of the proposals submitted. The Township of Westampton shall be the sole judge of the benefits to Westampton Township represented by the submissions pursuant to this Request, Solicitation and Invitation for proposal.

II. INSURANCE

This Request, Solicitation and Invitation for proposal is for the appointment of a professional or quasi-professional position with the Township of Westampton or a position for which there is a bidding exemption under *N.J.S.A. 40A:11-1 et seq.* Each proposer should have professional errors and omissions insurance. Attached hereto at Attachment A is the Certification of Insurance. Said Certification must be executed and documents attached thereto by the proposer to the extent that the proposer believes that the attachment of such documents provide proof of insurance for appropriate purposes. Errors and omission policy, if any, declaration page shall be attached showing current protection.

During the term of the contract, it shall be the responsibility of the proposer/professional to provide the Township with additional declaration pages of insurance in compliance with this paragraph showing current coverage when any insurance policy expires. Submission of proof of the required insurance coverage in the form of a certificate or certificates of insurance is a continuing condition precedent to service by the professional that receives the appointment.

III. PROFESSIONAL EVALUATION AND RANKING METHODOLOGY

A. GENERAL CRITERIA

All proposals shall be evaluated using the following criteria:

1. Professional qualifications;
2. Experience generally in the proposer's profession, including exposure to issues likely to be of assistance in properly serving as the Westampton Township Administrative Agent;
3. Knowledge of Westampton Township;
4. The ability of the person or firm selected to attend meetings, as necessary, of the Township Committee. The Township Committee meets on the first and third Tuesdays each month.
5. Absence from client or customer base of any client(s) who is currently or has in the past five years done business with Westampton Township. In the alternative, the proposer can articulate the name(s) of such clients and the nature of that client's business with the Township. For purposes of this subparagraph, "doing business with the Township" includes vending or other contractual obligations to the Township or being an applicant before any Township board or subdivision of the Township;
6. Compensation proposal set forth in detail, including request for benefits, if any;
7. Other factors if demonstrated to be in the best interest of the Township of Westampton.

B. DUTIES OF ADMINISTRATIVE AGENT

The Township of Westampton, Burlington County, is seeking proposals for an Affordable Housing Administrative Agent. The Affordable Housing Administrative Agent will be responsible for the administration of all affordable housing units within the municipality in accordance with the Fair Housing Act, N.J.S.A. 52:27D-301, et seq., the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et seq., and all applicable Affordable Housing Regulations promulgated by the Council on Affordable Housing and Department of Community Affairs. The Administrative Agent must be duly certified in accordance with all applicable Affordable Housing Regulations. The successful candidate must enter into a contract, as prepared by the Township of Westampton, consistent with this Request for Proposals ("RFP") and the proposal submitted.

A. SCOPE OF WORK

Responsibilities of the Administrative Agent

The Administrative Agent shall perform the duties and responsibilities of an administrative agent as set forth in the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et seq., including, but not limited to, the following:

1. Affirmative Marketing

- (a) Conducting an outreach process to insure affirmative marketing of affordable housing units in accordance with the Affirmative Marketing Plan of the Township of Westampton and the provisions of N.J.A.C. 5:80-26.15;
- (b) Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by COAH; and
- (c) Providing counseling or contracting to provide counseling services to low and moderate income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.

2. Household Certification

- (a) Soliciting, scheduling, conducting and following up on interviews with interested households;
- (b) Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low- or moderate-income unit;
- (c) Providing written notification to each applicant as to the determination of eligibility or non-eligibility;
- (d) Requiring that all certified applicants for restricted units execute a certificate in the form, of either the ownership or rental certificates set forth in Appendices J and K of N.J.A.C. 5:80-26.1 et seq.;
- (e) Creating and maintaining a referral list of eligible applicant households living in the housing region and eligible applicant households with members working in the housing region where the units are located; and
- (f) Employing a random selection process as provided in the Affirmative Marketing Plan of the Township of Westampton when referring households for certification to affordable units.

3. Affordability Controls

- (a) Furnishing to attorneys or closing agents forms of deed restrictions and mortgages for recording at the time of conveyance of title of each restricted unit;
- (b) Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded mortgage and note, as appropriate;
- (c) Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and properly filed with the appropriate county's register of deeds or County Clerk's office after the termination of the affordability controls for each restricted unit;
- (d) Communicating with lenders regarding foreclosures; and

- (e) Ensuring the issuance of Continuing Certificates of Occupancy or certifications pursuant to N.J.A.C. 5:80-26.10.

4. Resale and Rental

- (a) Instituting and maintaining an effective means of communicating information between owners and the Administrative Agent regarding the availability of restricted units for resale or rental; and
- (b) Instituting and maintaining an effective means of communicating information to low- and moderate-income households regarding the availability of restricted units for resale or re-rental.

5. Processing Requests from Unit Owners

- (a) Reviewing and approving requests from owners of restricted units who wish to take out home equity loans or refinancing during the term of their ownership;
- (b) Reviewing and approving requests to increase sales prices from owners of restricted units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms and bathrooms and the cost of central air conditioning systems;
- (c) Notifying the Municipality of an owner's intent to sell a restricted unit; and
- (d) Processing requests and making determinations on requests by owners of restricted units for hardship waivers.

6. Enforcement

- (a) Securing annually from the Township a listing of all affordable housing units for which tax bills are mailed to absentee owners, and notifying all such owners that they must either move back to their unit or sell it;
- (b) Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgement of the requirement that no restricted unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the Administrative Agent;
- (c) The posting annually in all rental properties, including two-family homes, of a notice as to the maximum permitted rent together with the telephone number of the Administrative Agent where complaints of excess rent can be made;
- (d) Sending annual mailings to all owners of affordable dwelling units, reminding them of the notices and requirements outlined in N.J.A.C. 5:80-26.18(d)4;
- (e) Establishing a program for diverting unlawful rent payments to the municipality's affordable housing trust fund or other appropriate municipal fund approved by the DCA;
- (f) Creating and publishing a written operating manual, as approved by COAH, setting forth procedures for administering such affordability controls;
- (g) Providing annual reports to COAH as required; and
- (h) Such other responsibilities as may be necessary to carry out the role and responsibilities of Administrative Agent as defined by COAH and the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et seq.
- (i)

B. QUALIFICATIONS FOR ADMINISTRATIVE AGENT

1. The Administrative Agent must provide documentation which demonstrates the successful completion of the Council on Affordable Housing's education program for Administrative Agents and compliance with all continuing education requirements;
2. The Administrative Agent must provide evidence of a history of successful management of restricted affordable housing units on behalf of municipalities in accordance with the Fair Housing Act, N.J.S.A. 52:27D-301 et seq., the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et seq., and all applicable Affordable Housing Regulations promulgated by the Council on Affordable Housing and Department of Community Affairs;
3. The Administrative Agent must provide documentation demonstrating that their purposes include the provisions of housing services and housing counseling and the promotion of the principles underlying the Federal Fair Housing laws and that they have knowledge of and familiarity with the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq., and its implementing rules.
4. The Administrative Agent must not have a pecuniary interest in the affordable housing units to be administered or demonstrate that if such pecuniary interest exists that the Administrative Agent will not allow the pecuniary interest to compromise in any way the administration of the affordable housing units;
5. The Administrative Agent must demonstrate their capacity to undertake the duties of an administrative agent; and
6. The Administrative Agent must commit to attend continuing education opportunities on affordability controls and compliance monitoring.

C. ADDITIONAL SELECTION CRITERIA

1. Familiarity with the Township of Westampton and its affordable housing portfolio;
2. Demonstrated experience with COAH approved approaches to affordable housing administration;
3. Experience and reputation in the field of affordable housing administration;
4. Education and/or special accreditations in the field of affordable housing administration;
5. Availability of sufficient personnel and other resources to provide the services required;
6. Compensation proposal;
7. Ability to attend Westampton Township Committee meetings, if required; and
8. Other factors which may be in the best interest of the Township of Westampton.

IV. CONTRACT PERIOD

The period of responsibility is January 4, 2022 through December 31, 2022 or until a successor is selected at the year 2023 reorganization meeting of the Township Committee, presently not scheduled. All contracts are contingent on funding.

V. PROPOSAL FORM

APPOINTMENT OF TOWNSHIP ADMINISTRATIVE AGENT

All proposals submitted in response to the within Request, Solicitation and Invitation for proposal shall utilize the form of correspondence on the next page hereof as the cover sheet of such proposal. There shall be attached to said letter/cover sheet succeeding pages setting forth your proposal/responses. Your proposal must follow the format herein at Pages 1 through 6. In order for your proposal to meet the requirements of the Request, Solicitation and Invitation, the form of correspondence set forth herein below shall be fully completed and executed. Attachments or certifications set forth as attachments or certifications A, B, C and D attached to this form, shall be completed and originally executed. Failure to attach required documents is cause for disqualification.

All erasures and/or changes to the original documentation submitted must be initialed by the individual making modifications to the proposal. Use separate and additional pages to respond specifically to each Section, specifically Section III hereof, which sets forth the criteria that the Township Committee will utilize in evaluating your proposal and determining the selection of the Township Administrative Agent. In the event that the proposal is being made by a Administrative Agent firm containing more than one person, the first page of the proposal, in the cover letter set forth on the next page, shall also recite the name of the supervising Administrative Agent, if any, and the name of the Administrative Agent that the firm will assign to do the work of the Township of Westampton.

Date:

Township Committee
Township of Westampton
710 Rancocas Road
Westampton, NJ 08060

Dear Members of the Township Committee:

The undersigned hereby submits the enclosed proposal for the position of Township Administrative Agent.

The undersigned hereby undertakes and promises to serve as Township Administrative Agent in the Township of Westampton and to do all work requested as appropriate and required herein as well as the contract documents concerning the same, including all written amendments and changes thereto, if any, which are incorporated herein by reference and made a part of this proposal.

SIGNATURE

BUSINESS NAME

Type or Print Full Name

Title

Date

Telephone Number

Email Address

ATTACHMENT A

CERTIFICATION OF INSURANCE

I HEREBY CERTIFY THAT MY OFFICE CARRIES INSURANCE ADEQUATE TO COVER THE TOWNSHIP OF WESTAMPTON AND PROTECT THE TOWNSHIP FOR ANY ERROR OR OMISSION COMMITTED BY THE UNDERSIGNED THAT CREATES LIABILITY TO THE TOWNSHIP. THIS INCLUDES ERRORS AND OMISSION POLICY AND ANY OTHER TYPE OF POLICY WHATSOEVER THAT CAN BE UTILIZED TO PROTECT THE INTERESTS OF THE TOWNSHIP OF WESTAMPTON. I HAVE ATTACHED HERETO COPIES OF THE DECLARATION PAGES OF EACH SUCH POLICY THAT I ASSERT DOES OR CAN PROTECT THE TOWNSHIP OF WESTAMPTON FROM ANY ERROR, OMISSION OR ACTIVITY IN WHICH I OR ANYONE FROM MY OFFICE MIGHT ENGAGE ON BEHALF OF THE TOWNSHIP OF WESTAMPTON.

I FURTHER CERTIFY THAT THE POLICIES OF INSURANCE THAT ARE CARRIED BY MY OFFICE SHALL CONTINUE TO BE CARRIED DURING THE ENTIRE TERM OF MY APPOINTMENT AS TOWNSHIP ADMINISTRATIVE AGENT FOR THE YEAR 2022, IN THE EVENT THAT MY OFFICE IS SELECTED TO SERVE IN THAT CAPACITY. IN THE EVENT THAT THE DECLARATIONS PAGE(S) SUBMITTED HERewith SHOWS THE POLICY OR POLICIES OF INSURANCE WILL LAPSE DURING THE COURSE OF THE CALENDAR YEAR, I WILL PROVIDE TO THE TOWNSHIP A COPY OF THE RENEWAL POLICY DECLARATION PAGE. I FURTHER CERTIFY THAT THE RENEWED POLICY SHALL HAVE THE SAME OR GREATER LIMITS OF LIABILITY AS THE ONE PROVIDED FOR THE BEGINNING OF CALENDAR YEAR 2021.

CERTIFYING OFFICIAL:

NAME: _____

TITLE _____

SIGNATURE: _____

DATE: _____

ATTACHMENT B

CONFLICT OF INTEREST CERTIFICATION

THE UNDERSIGNED CERTIFIES TO THE TOWNSHIP OF WESTAMPTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY THAT IN PERFORMING SERVICES TO THE TOWNSHIP HE/SHE IS AWARE OF NO CIRCUMSTANCE THAT WOULD CONSTITUTE A CONFLICT OF INTEREST, FINANCIAL OR OTHERWISE, BETWEEN HIMSELF/HERSELF (OR HIS/HER FIRM) AND THE INTERESTS OF THE TOWNSHIP OF WESTAMPTON. THE UNDERSIGNED CERTIFIES THAT HE/SHE HAS MADE A SEARCH OF HIS/HER FIRM'S CLIENT BASE AND HAS EXECUTED THIS CERTIFICATION SUBSEQUENT TO SUCH SEARCH.

THE UNDERSIGNED ACKNOWLEDGES THIS IS A CONTINUING CERTIFICATION, AND SHALL REMAIN IN EFFECT FOR THE TERM OF THE SERVICES CONTAINED IN THE SOLICITED REQUEST FOR PROPOSAL. I CERTIFY THAT THE FOREGOING STATEMENTS MADE BY ME ARE TRUE. I AM AWARE THAT IF ANY OF THE FOREGOING STATEMENTS MADE BY ME ARE FALSE, THE TOWNSHIP IS FREE TO TERMINATE ANY PROFESSIONAL SERVICE AGREEMENT ENTERED INTO WITH THE UNDERSIGNED AND/OR HIS OR HER FIRM.

Applicant Signature:_____

Typed Firm Name:_____

Title:_____

Date:_____

ATTACHMENT C

I HEREBY CERTIFY THE INFORMATION CONTAINED IN THIS PROPOSAL IS CORRECT AND ACCURATE TO MY PERSONAL KNOWLEDGE. I AM MAKING THIS CERTIFICATION IN GOOD FAITH.

CERTIFYING OFFICIAL:

NAME:_____

TITLE_____

SIGNATURE:_____

DATE:_____

ATTACHMENT D

**ATTACHMENT CERTIFYING UNDERSTANDING OF WESTAMPTON TOWNSHIP
CODE AS IT RELATES TO GIFTS, HONORARIA, ETC.**

THE UNDERSIGNED HEREBY CERTIFIES THAT HE/SHE IS FAMILIAR WITH THE PROVISIONS OF THE WESTAMPTON TOWNSHIP CODE RELATING TO THE ADOPTION BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WESTAMPTON OF THE NEW JERSEY MUNICIPAL ETHICS RULES. THE UNDERSIGNED UNDERSTANDS THAT VIOLATION OF THESE RULES CAN RESULT IN A BREACH OF THE TERMS OF THE AGREEMENT TO ACT AS THE TOWNSHIP ADMINISTRATIVE AGENT FOR WESTAMPTON TOWNSHIP AND CAN RESULT IN A TERMINATION OF THE CONTRACT BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WESTAMPTON.

Date: _____

Signature

Print Name